

A.D. 9.2, Inmate Classification

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1. Policy. Each inmate under the custody of the Commissioner of Correction shall be classified to the most appropriate assignment for security and treatment needs to promote effective population management and preparation for release from confinement and supervision. The Department's classification of inmates shall normally utilize a classification instrument based on objective factors. The classification system shall not foster discrimination in status, including housing, programming, job assignment, or on the basis of race, creed, color, or national origin.
2. Authority and Reference.
  - A. Connecticut General Statutes, Sections 14-227(a), 14-215(c), 18-73, 18-81, 18-86, 18-100, 18-100c, 21a-277(d) and 21a-279(e).
  - B. American Correctional Association, Standards for Adult Correctional Institutions, Third Edition, January 1990; Standards 3-4273, 3-4282 through 3-4285, 3-4287 and 3-4288 through 3-4292.
  - C. American Correctional Association, Standards for Adult Local Detention Facilities, Third Edition, March 1991; Standards 3-ALDF-4B-01 through 3-ALDF-4B-04.
  - D. Administrative Directives, 6.4, Transportation and Community Supervision of Inmates; 6.6, Reporting of Incidents; 6.14, Security Risk Groups; 9.4, Restrictive Status; 9.5, Code of Penal Discipline; and 9.8, Furloughs.
3. Definitions. For the purposes stated herein, the following definitions apply:
  - A. Classification. The ongoing process of collecting and evaluating information about each inmate to determine the inmate's risk and need level for appropriate confinement location, treatment, programs, and employment assignment whether in a facility or the community.
  - B. Commitment. The status of an inmate when legal custody is maintained by the Department of Correction. Custody may be in a correctional institution or the community.
  - C. Community Release Program. A correctional program based in the community for eligible inmates, which includes transitional supervision and residential program placement.
  - D. Newly Admitted Inmate. An accused, convicted or sentenced inmate who enters the Department of Correction under a new period of commitment. If an inmate has not left the custody of the Department prior to readmittance, the inmate shall not be treated as newly admitted. For the purposes of this directive, an inmate admitted as a temporary surrender shall not be considered a newly admitted inmate.
  - E. Override. A documented condition of fact warranting an increase or decrease in the overall risk level of an inmate.
4. Classification Goals. The goals of the Department's classification system are to:
  - A. Ensure the safety and well being of the community, facility, staff

and the inmate.

- B. Apply a consistent and reliable classification and assessment system that assigns inmates a level of confinement consistent with the protection of the community, staff, and inmates.
  - C. Recommend inmate programs and activities according to specific needs.
  - D. Involve the staff and the inmate in developing an incarceration plan and a plan for community release and reintegration, where appropriate.
  - E. Develop, record and analyze data necessary for individual decision making and program and facility planning.
  - F. Ensure that staff and inmates understand the procedures and criteria used in the classification process.
5. Classification Management. The Director of Offender Classification and Population Management shall be responsible for the Department of Correction's classification system. The Director of Offender Classification and Population Management shall develop a classification manual containing detailed information concerning inmate classification procedures which shall be reviewed annually and updated as necessary. The Unit Administrator shall be responsible for administering the classification procedures under this Directive. However, nothing in this Directive shall preclude the Director of Offender Classification and Population Management, a Deputy Commissioner or the Commissioner from intervening in any classification decision at any time. The Director of Offender Classification and Population Management shall be responsible for an annual audit to determine compliance with the Department's classification directives and manual.
6. Classification Levels. Each inmate shall be classified according to risk and needs, and shall be assigned an overall risk score of one (1) to five (5). A risk score Level 1 shall represent the lowest security level and 5 the highest. A needs score Level 1 shall represent the lowest need level and 5 the highest.
7. Admissions and Assessment.
- A. MacDougall-Walker Correctional Institution. Any male inmate sentenced to greater than two (2) years shall normally be admitted to MacDougall-Walker Correctional Institution. Risk and comprehensive needs assessment shall be completed over a period of 10 business days. Upon completion of the classification assessment, the inmate shall be transferred to an appropriate facility.
  - B. Direct Admission Facilities. Any male inmate in pretrial status or sentenced to two (2) years or less shall be admitted to the direct admission facility serving the court of jurisdiction: Hartford, Bridgeport or New Haven Community Correctional Centers or Corrigan-Radgowski Correctional Institution. Risk and needs assessments shall be completed in accordance with Section 8.
  - C. York Correctional Institution. Any sentenced and/or pretrial female inmate shall be admitted to York Correctional Institution. Risk and needs assessments shall be completed as required in Section 8.
  - D. Manson Youth Institution. Any male offenders age 14-20 sentenced to two (2) years or less shall be directly admitted to Manson

Youth Institution. Risk and needs assessments shall be completed as required in Section 8.

- E. Juvenile Offenders. Manson Youth Institution shall house all male juvenile offenders, and York Correctional Institution shall house all female juvenile offenders. No other facility shall knowingly accept a juvenile offender. Any facility receiving an offender in this category shall immediately report the admission to the Population Management Unit. The receiving facility shall also make an immediate psychiatric referral to ensure that qualified staff evaluate the offender as soon as possible. In addition, the receiving facility shall place the juvenile in Administrative Detention and make an immediate request for priority transfer to Manson Youth Institution as appropriate. Prior to transfer, facility classification staff shall complete, at a minimum, an initial risk assessment. Both Manson Youth Institution and York Correctional Institution shall develop Unit Directives that provide for the unique orientation, housing, and program needs of the juvenile offender.

8. Classification Assessment. Inmate classification assessments shall be based upon the individual risk and needs of the inmate.

- A. Risk Assessment. An inmate's risk assessment shall represent the inmate's potential for violence, escape, or disruption of the orderly functioning of a facility or other place of confinement. The level of risk is determined by rating the following factors:

1. history of escape;
2. severity/violence of the current offense;
3. history of violence;
4. length of sentence;
5. presence of pending charges, bond amount and/or detainers;
6. discipline history; and
7. Security Risk Group membership.

- B. Inmate Needs Assessment. An inmate's needs shall be assessed in the following areas:

1. medical and health care;
2. mental health care;
3. education;
4. vocational training and work skills;
5. substance abuse treatment;
6. sex offender treatment; and
7. family/residence or community resources.

Assessment of inmate needs shall be accomplished by classification staff in conjunction with staff responsible for the evaluation and provision of services for the need area.

- C. Overall Risk Score. An overall classification assessment score shall be determined for each inmate. An overall risk score is determined by the highest rating assigned to any of the seven (7) factors outlined in section 8 (A), with the exception of the sex offender treatment need score in Section 8 (B). No inmate with a sex offender treatment need score of two (2) or greater shall be

assigned an overall score below level three (3) without authorization from the Commissioner or designee. The overall score shall be assigned taking into account the inmate's risk assessments and behavior during confinement.

- D. Overrides. An overall risk score may be increased or decreased through an override. An override of the inmate's overall risk score shall be documented in writing and approved by the Unit Administrator in consultation with the Director of Offender Classification and Population Management or designee. An override shall not be used to decrease an inmate's Risk Level Score more than once during any term of continuous sentenced incarceration. No inmate shall be overridden to Level 1.
9. Initial Classification Review. A preliminary classification risk assessment shall begin within the first two (2) business days of commitment. A preliminary risk classification shall be determined prior to transfer to a Level 3 or higher risk level confinement. Full initial classification shall be completed prior to any transfer to any Level 2 facility. Within 14 days of commitment to the Department, the initial overall risk score shall be assigned. Within 30 days, the needs assessment and full initial classification shall be completed.
10. Reclassification Review. After initial classification, the inmate's risk level and needs shall be regularly reviewed or immediately following any change in an inmate's status that may affect the risk score as follows:
- A. Regular Reclassification. An inmate's risk and needs shall be reviewed every six (6) months after the initial classification has been established with the exception of the following: annually for Level 4 and Level 3 general population inmates with greater than five (5) years remaining on their sentence.
- B. Risk Level Reductions. A reduction of the inmate's risk level shall be reviewed as follows:
1. Reductions from Overall Risk Level 5. All inmates assigned to Overall Risk Level 5 will be assigned to Administrative Segregation. Inmates approved for removal from Administrative Segregation as per Administrative Directive 9.4, Restrictive Status, shall be reduced to the appropriate Overall Risk Level 4 status. Any inmate assigned to Administrative Segregation shall not have the risk level reduced without the approval of the Commissioner or designee. Any inmate assigned to Risk Level 5 shall be reviewed at a minimum, every six (6) months for a possible risk level reduction.
  2. Reductions from Risk Level 4 to 3 and Risk Level 3 to 2. Reductions of Risk Level shall be considered after a sentenced inmate has completed a prescribed amount of time in confinement as noted below. Any inmate serving a life sentence with no possibility of parole or release is not eligible for a risk level decrease without the review and approval of the Director of Offender Classification and Population Management. The percentage of time served for determinate sentences shall be computed on the estimated release date for offenses committed prior to October 1,

1994, and on the maximum release date for offenses committed on or after October 1, 1994. The percentage of time served for indeterminate sentences shall be computed based on the projected discharge date. Parole status shall only be considered when a firm Voted to Parole (VTP) Date has been granted by the Parole Board, at which time the VTP Date may be considered the release date for percentage of time calculations. Any inmate serving a sentence for a sex related offense or having a history of sex related offenses shall be approved by the Commissioner or designee prior to being classified below Risk Level 3. If not approved, the reason for a denial of a routine level reduction shall be documented on the Inmate Classification Form (ICF). The schedule for risk level reductions and eligibility criteria for these reductions shall be as follows:

	<u>Percentage of Time Served Since Last Risk Score Change</u>		<u>No Class A Disciplinary Past 120 Days or Class B Past 90</u>
<u>Level</u>	4 to 3	35%	X
	3 to 2	30%	X

Once an inmate meets the eligibility criteria above, a risk level reduction review shall be completed.

3. Reduction to Risk Level 1. Reduction to Risk Level 1 shall be in accordance with Section 11.
4. Reduction Based on New Information. Receipt of new information regarding the inmate may also require a classification review and a risk level reduction. A reduction may be prompted for one of the following reasons:
  - a. a reduction of charges against the inmate;
  - b. a removal of a detainer;
  - c. sentence modification and reduction of sentence;
  - d. reduction in bond; and/or
  - e. successful Security Risk Group Renunciation.
5. Reduction Exclusion Based on Assignment Refusal. A sentenced inmate who refuses to participate in an available educational or programmatic assignment, consistent with assessed needs in accordance with Section 8(B) of this Directive, may be precluded from a classification reduction until the inmate complies with a mandatory classification program assignment as identified in the Program Index Compendium.
6. Disciplinary History Factor Reduction. During an initial assessment, an inmate's discipline history factor shall be reviewed to determine whether or not any change is warranted. If the inmate has not been found guilty of a Class A or B disciplinary violation in accordance with Administrative Directive 9.5, Code of Penal Discipline for one (1) year, (six (6) months for inmates under 16 years of age), a reduction of one (1) level may be made to this factor.

11. Community Release Programs. The community release program shall provide an eligible inmate with the opportunity to reintegrate into the community. Any inmate who refuses to participate in an available educational or program assignment, consistent with the inmate's assessed needs in accordance with Section 8(B) of this Directive, may be excluded from community release consideration until the inmate complies with the classification assignment. A member of a Security Risk Group in accordance with Administrative Directive 6.14, Security Risk Groups, shall be excluded from Community Release consideration. Program placement may include Transitional Supervision or residential program placement as follows:

A. Transitional Supervision.

1. Eligibility Criteria. An inmate incarcerated by the Department of Correction for a definite total effective sentence of two (2) years or less shall, subject to the following criteria, be eligible for consideration for Transitional Supervision. The two (2) years maximum sentence shall include any unpaid fine calculated consecutively at \$50 per day. In addition, the following criteria must be met:
  - a. classified below Level 5;
  - b. served at least 50 percent of the sentence imposed less jail credit;
  - c. must not be serving the mandatory portion of Driving While Intoxicated, 14-227(a) or a Driving Under Suspension offense that originally was related to a Driving While Intoxicated, 14-215(c) sentence;
  - d. have no sex offender need score greater than one (1);
  - e. favorable recommendations for inmates with mental health need scores greater than three (3) shall be forwarded to the Director of Health, Mental Health and Addiction Services for review to further ensure continuity of care;
  - f. remain discipline free of a Class A offense during the preceding 120 days;
  - g. remain discipline free of a Class B offense during the preceding 60 days;
  - h. no escape conviction within the past calendar year;
  - i. have no pending charges or detainers unless bond has been posted, except pending out of state charges below Risk Level 4 with official verification that the state will not extradite; and
  - j. have an approved sponsor and/or have secured housing at an acceptable residence approved by a Community Enforcement.
2. Eligibility Date and Notification. Within two (2) weeks of sentencing, unit classification staff shall determine the date that an eligible inmate may be placed on Transitional Supervision. When an inmate is not recommended for placement on Transitional Supervision, the Transitional Supervision package shall be forwarded to the Community Enforcement Unit for review. The Director of Offender

Classification and Population Management shall also review the decision and affirm or establish a placement date. If a placement date is established, the Director of Offender Classification and Population Management shall notify the Unit Administrator of the facility housing the inmate and the Community Enforcement Unit. The Unit Administrator shall then inform the inmate of the placement date.

3. Risk Level. Upon approval for Transitional Supervision an inmate shall be classified to Overall Risk Level 1.

B. Residential Program Placement.

1. Eligibility Criteria. An inmate may be eligible for residential program placement when the following criteria are met:

- a. be classified Level 2;
- b. be within 18 months of estimated discharge date or Voted to Parole date;
- c. remain discipline free of a Class A offense during the preceding 120 days;
- d. remain discipline free of a Class B offense during the preceding 60 days;
- e. no escape conviction within the past calendar year;
- f. remain free of community release program failure during the preceding six (6) months; and
- g. have no pending charges or detainers unless bond has been posted except pending out of state charges below Risk Level 4 with official verification that the state will not extradite.

2. Risk Level. Upon approval for residential program placement an inmate shall be classified to Overall Risk Level 1.

12. Risk Level Increases. Risk Level increases shall occur as required upon receipt of new information pertinent to the inmate's risk classification or inmate's disciplinary adjustment.

- A. Disciplinary Increases. Poor disciplinary adjustment may result in an inmate's Overall Risk Factor being increased and a corresponding increase of the Discipline History Factor to the level of the Overall according to the schedule detailed in the Classification Manual.

An inmate who is found guilty of a Level 2 assault on a Department of Correction employee as defined in Administrative Directive 6.6, Reporting of Incidents, shall be classified to Overall Risk Level 4 with a corresponding increase in the Discipline Risk Factor.

In the event of multiple disciplinary charges arising from a single disciplinary incident, only the highest chargeable class of offense shall be used.

An inmate assigned to Close Custody for Chronic Discipline shall automatically be classified to Overall and Discipline Risk Factor 4.

Reviews resulting in an Overall Risk Level increase which will require a transfer to another facility shall require the approval of the Director of Offender Classification and Population Management.

- B. Conviction of a Felony. Conviction of a felony committed while incarcerated shall result in a level increase review.
  - C. Assignment to Overall Risk Level 5/Administrative Segregation. Assignment to Overall Risk Level 5/Administrative Segregation shall be considered when any totality of facts, information or circumstances which indicates an immediate threat to safety and/or security of the public, staff or other inmates. An inmate shall be automatically placed in Administrative Detention and be reviewed for placement in Administrative Segregation/Overall Risk Level 5, under any of the following conditions:
    - 1. Level 1 assault on a Department of Correction employee as defined in Administrative Directive 6.6, Reporting of Incidents;
    - 2. Hostage holding of a Department of Correction Employee;
    - 3. Riot;
    - 4. Homicide while confined;
    - 5. An inmate is sentenced to death;
    - 6. Escape from the security perimeter of a facility;
    - 7. Continues to present a threat to safety, security and/or orderly operation after one (1) year in Close Custody for Security Risk Groups;
    - 8. Continues to present a threat to safety security and/or orderly operation after six (6) months in Close Custody for Chronic Discipline; and
    - 9. An inmate is in pretrial or presentence status for a Capital Felony Murder charge.
- All increases to Overall Risk Level 5/Administrative Segregation shall be made by the Director of Offender Classification and Population Management.
- D. Security Risk Group Members. Any inmate designated as a Security Risk Group Member shall not be classified lower than Overall Risk Level 3 and placed in a Close Monitoring unit in accordance with Administrative Directive 6.14, Security Risk Groups. An inmate released from the Department while designated as a Security Risk Group Member shall be readmitted on the same status. The Director of Central Intelligence shall review the designation in accordance with Administrative Directive 6.14, Security Risk Groups.
  - E. Security Risk Group Safety Threat Members. Any inmate designated as a Security Risk Group Safety Threat Member shall be classified to Overall Risk Level 4 and placed in a Close Custody unit in accordance with Administrative Directive 6.14, Security Risk Groups. An inmate released from the Department while designated as a Security Risk Group Safety Threat Member shall be readmitted ~~in~~ on the same status. The Director of Central Intelligence shall review the designation in accordance with Administrative Directive 6.14, Security Risk Groups.

13. Risk Level Reclassification from Community Placement. Risk Level increases from Overall Risk Level 1 for inmates remanded to custody and whose Community Release has been revoked, requires a risk reclassification hearing. Also, the Community Enforcement Supervisor shall provide the inmate with the following:

- A. Within 72 hours of the re-incarceration, a statement of reasons for the proposed increase from Risk Level 1 status except those that may cause a security problem or undue harm to the public;
- B. A copy of any documents pertaining to such statement of reasons unless the security of the facility and public warrants otherwise.
- C. A notification of the date, time, and location of a hearing on such proposed revocation. This notice shall state that the inmate may appear at such hearing with a correctional advocate as a representative and present documents at such hearing on the inmate's behalf.

Any inmate in community placement status and returned to a Level 2 or higher security facility shall have a classification hearing within 14 days of return to the facility. This time limit may be extended for cause. A disciplinary hearing shall not substitute for a classification hearing. A classification hearing shall not consider disciplinary matters unless the inmate has been found guilty of an offense under Administrative Directive 9.5, Code of Penal Discipline. A classification hearing may consider reclassification for a nonchargeable matter and return the inmate to a higher security facility prior to a disciplinary hearing on a chargeable offense. Classification shall not be used to avoid a disciplinary hearing for an inmate. Records of the disciplinary hearing, including information provided by the inmate, shall be forwarded to the counselor supervisor or higher authority as appropriate. If the inmate's assignment to Risk Level 1 is revoked, the counselor supervisor or higher authority shall state the reasons in writing and change the risk level. The risk score will be increased to Overall Risk Level 2, except in the case where new information would result in a level increase due to a change in one of the risk factors.

- D. Notwithstanding the above provisions, this criterion shall not interfere with the use of discretion invoking incremental sanctions by a Community Enforcement Officer or higher authority for technical, non-criminal violations to include, but not be limited to intervention, increased programming, detoxification and electronic monitoring through the Community Release Intervention Program as enumerated below:
  - 1. inmates shall be temporarily remanded by the Community Enforcement Unit with CN 9202, Re-Admission Tracking Form, placed in the master file and so noted on the Classification History Log in the master file;
  - 2. no classification transaction shall be required, unless it has been determined that the inmate will not be placed back into the community;
  - 3. Records staff shall notify Addiction Services when an inmate is returned for a positive urinalysis so as to provide

- necessary intervention;
4. the Community Enforcement Unit shall review and track each case and make necessary modifications to the inmate's Conditions of Release for reinstatement into the community; and
  5. if it is determined by the Unit Administrator, in consultation with the Director of Community Enforcement, that the inmate is not appropriate for re-release, the inmate shall then be scheduled for a reclassification hearing and reviewed for an overall level increase as appropriate and considered for a transfer to a sentenced facility if the inmate has greater than 15 days to discharge.
14. Risk Level Reclassification Resulting from New Information. Whenever new information is received that is relevant to an inmate's risk or needs classification, a reclassification review shall occur.
  15. Inmate Involvement. An inmate should be involved in program decisions to the extent feasible. The inmate shall be seen by classification staff for every objective classification action except Percentage-of-Time Reviews unless the inmate is denied. The inmate may appear before the classification staff as required by this Directive, as long as the appearance does not jeopardize the safety and security of the facility, its staff, or other inmates. If an appearance of the inmate is required, the inmate shall receive notice 48 hours prior to classification review. An inmate may waive, in writing, the notice requirement or any appearance. Within five (5) days of a classification decision, the decision, including the overall risk score and need ratings assigned the inmate as well as any changes of these ratings shall be shared with the inmate in writing. A classification decision may be appealed to the Unit Administrator or designee within 15 days of the decision.
  16. Level of Review Required for Classification Reviews. The Unit Administrator shall designate staff within the unit responsible for classification reviews and assignments. With the exception of classification assignments made by the Director of Offender Classification and Population Management, classification decisions may be appealed to the Unit Administrator. The Unit Administrator shall respond in writing within 15 business days of receipt of the appeal.
  17. Inmate Supervision Requirements. Supervision requirements during transport shall be in accordance with Administrative Directive 6.4, Transportation and Community Supervision of Inmates. All other inmate supervision outside the facility's perimeter with the exception of Administrative Directive 9.8, Furloughs, shall be governed by an inmate's Risk Level in accordance with the following:
    - A. An inmate classified as Level 3, Level 4 or Level 5 shall be excluded from a job or program assignment that is outside the facility's security perimeter.

Any Security Classification Level 3, 4 or 5 inmate, who is to be moved beyond the facility's security perimeter, shall be managed in accordance with Administrative Directive 6.4, Transportation

and Community Supervision of Inmates.

- B. Any Risk Level 2 or 1 inmate assigned to a facility, who is placed on an outside job or program assignment, shall have intermittent observation by staff or an agent of the Department at a minimum of once every two (2) hours or continuously if deemed to be appropriate by the Unit Administrator or designee.

18. Other Classification Actions.

- A. Outside Work Assignments. The Unit Administrator shall be the approving authority for any inmate placed on an outside job or program assignment. An inmate shall be classified as an Overall Level 2 prior to review and meet the following additional criteria to be considered for outside job or program assignment:

- 1. No sex offense ~~ex~~ history;
- 2. No high notoriety crime;
- 3. No Class A felony unless voted to Parole;
- 4. Not less than 30 days at the facility unless on outside clearance status at sending facility prior to transfer;
- 5. No Class A disciplinary offense convictions or pending disciplinary charges within 120 days; and
- 6. No Class B disciplinary convictions or pending disciplinary charges within 90 days.

Any inmate approved or being considered for outside clearance who has been denied parole, shall be evaluated by the Unit Administrator to assess the appropriateness of outside clearance.

- B. Facility Based Work Release and Education Release Eligibility Criteria. An inmate may be placed in a facility based work release and education release as appropriate when the following criteria are met:

- a. classified Level 2;
- b. remain discipline free of a Class A offense during the preceding 120 days;
- c. remain discipline free of a Class B offense during the preceding 60 days;
- d. no escape(s) or return from escape within one (1) year;
- e. no community release program failures during the preceding six (6) months;
- f. have no pending charges or detainers;
- g. have no sex offender history except prostitution;
- h. favorable recommendations for inmates with mental health need scores greater than three (3) shall be forwarded to the Director of Health, Mental Health and Addiction Services for approval to ensure continuity of care; and
- i. must not be serving the mandatory portion of Driving While Intoxicated, 14-227(a) or a Driving Under Suspension offense that originally was related to a Driving While Intoxicated, 14-215(c) sentence.

- C. Indeterminate Sentences. The Commissioner may release any inmate sentenced to an indeterminate sentence pursuant to Connecticut General Statutes 21a-277(d) or 21a-279(e) at any point during that sentence. The Unit Administrator may recommend release at any time during the sentence. Only favorable recommendations shall be forwarded to the Commissioner's Office via the Director of Offender Classification and Population Management. The initial review shall be made after the completion of Initial Classification and a 30-day period of confinement. If denied, the Unit Administrator shall set another review date no more than six (6) months from the decision date. Each review and disposition shall be documented on the Inmate Classification History Form in Section 5 of the Master File.
19. Exceptions. Any exception to the procedures in this Administrative Directive shall require prior written approval of the Commissioner.